COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE P.O. Box 1450 ALEXANDRIA, VA 22313-1450

Paper No. 22

**BRINKS HOFER GILSON & LIONE** P.O. BOX 10395 CHICAGO IL 60611

**COPY MAILED** 

DEC 1 9 2003

In re Application of Blackett et al Application No. 09/814,436 Filed: March 22, 2001 Attorney Docket No. 6270/60 OFFICE OF PETITIONS ON PETITION

This is a decision on the petition, filed December 9, 2003, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on October 31, 2003 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

After receipt of the file in the Office of Petitions, the application will be forwarded to Technology Center AU 2857 for processing of the request for continued examination under 37 CFR 1.114.

Karen Creasy

Petitions Examiner Office of Petitions

Office of the Deputy Commissioner

for Patent Examination Policy

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).